

FILED

JUN 27 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THOMAS W. ABNEY,
Petitioner,

v.

JEFFREY BEARD,
Respondent.

No. C 14-00859 BLF (PR)
ORDER OF TRANSFER

Petitioner, a state prisoner, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254, challenging a disciplinary hearing resulting in the forfeiture of thirty days credit.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d). If the petition is directed to the manner in which a sentence is being executed, e.g., if it involves parole or time credits claims, the district of confinement is the preferable forum. *See* Habeas L.R. 2254-3(b)(2); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). The petition indicates that Petitioner is confined at the Chuckwalla Valley State Prison in Riverside County, which lies within the venue of the Eastern Division of the Central District of California. *See* 28 U.S.C. 84(c).

Accordingly, the above-titled action is hereby TRANSFERRED to the United

1 States District Court for the Eastern Division of the Central District of California.

2 See 28 U.S.C. §§ 1404(a), 2241(d); Habeas L.R. 2254-3.

3 The Clerk shall transfer this matter and terminate any pending motions.

4 **IT IS SO ORDERED.**

5
6 DATED: June 27, 2014


BETH LABSON FREEMAN
United States District Judge